

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

MANETIRONY CLERVRAIN,

Plaintiff,

v.

Civil Action No. 2:22-cv-00163

ALYSSA D. ERICH;
FEDERAL BUREAU OF PRISONS;
REPUBLIC OF HAITI;
COMMONWEALTH OF BAHAMAS; and
REPUBLIC OF GHANA,

Defendants.

MEMORANDUM OPINION AND ORDER

Pending before the court are the following four self-styled motions filed by the plaintiff contemporaneously with his complaint on April 4, 2022:

- ECF No. 2 – Motion for ["Manifest Injustice Act"] (MIA) or ["Electronic Filing Act"] Opposition(s) by Secure Academic Resources Technology Act ("SARTA");
- ECF No. 3 – Motion for Extraordinary Remedy Act ("ERA") or Circumstances to Compell Process by the Ant(s) Reform Multiplicity Act ("TARMA");
- ECF No. 4 – Motion for Settlement Agreement(s) Against Secretive Criminals by Inkoking the National Regulatory Treaties Act ("NIRTA"); and

- ECF No. 5 – Motion for “Common Sense” or Access to the Informative Legal Materials or Opposition by [“The Ant(s)’] Library Act (“TALA”).

These motions were previously referred to the Honorable Dwane L. Tinsley, United States Magistrate Judge, for submission of proposed findings and a recommendation (“PF&R”). The magistrate judge filed his PF&R on October 31, 2022 (ECF 9), recommending that the court deny the plaintiff’s motions as frivolous and dismiss them with prejudice.

The court need not review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings and recommendations to which no objection has been addressed. See Thomas v. Arn, 474 U.S. 140 (1985); see also 28 U.S.C. § 636(b)(1) (“A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.”) (emphasis added). Failure to timely file objections constitutes a waiver of de novo review and the plaintiff’s right to appeal the order of the court. See 28 U.S.C. § 636(b)(1); see also United States v. De Leon-Ramirez, 925 F.3d 177, 181 (4th Cir. 2019) (parties typically may not “appeal a magistrate judge’s findings that were not objected to below, as § 636(b)

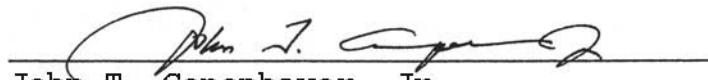
doesn't require de novo review absent objection."); Snyder v. Ridenour, 889 F.2d 1363, 1366 (4th Cir. 1989). Inasmuch as objections to the PF&R were due on November 17, 2022, and none have been filed, this matter may be duly adjudicated.

Accordingly, it is ORDERED that the findings made in the Proposed Findings and Recommendation of the magistrate judge be, and they hereby are, adopted by the court and incorporated herein.

It is, therefore, ORDERED that each motion be denied and dismissed with prejudice.

The Clerk is directed to forward copies of this written opinion and order to the plaintiff, all counsel of record, and the United States Magistrate Judge.

Enter: December 22, 2022



John T. Copenhaver, Jr.
Senior United States District Judge